IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 24TH OCTOBER 2007 / 2ND KARTHIKA 1929

Bail Appl..No. 6477 of 2007()

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CRIME NO.33/2007 OF KANNAVAM POLICE STATION

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: PETITIONER/ACCUSED:

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PANACHI DIVAKARAN, S/O. KRISHNAN,
AGED 47 YEARS, THOLAMBRA AMSOM, THOLAMBRA DESOM,
CHEMMARA.

BY ADV. SRI.SUNIL NAIR PALAKKAT
SRI.K.N.ABHILASH

RESPONDENTS: COMPLAINANT:

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THE STATE OF KERALA,
REP. SHO KANNAVAM POLICE STATION
(THROUGH PUBLIC PROSECUTOR, HIGH COURT OF KERALA).

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**R.BASANT, J**

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**B.A.No. 6477 of 2007**

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**Dated this the 24th day of October, 2007**

**ORDER**

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 2000 litres of wash on 10.04.07. He surrendered later before the learned Magistrate on 4.9.07. He continues in custody from that date. The learned Public Prosecutor submits that the petitioner has no history of any criminal antecedents.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer (final report having already been filed) subject to the condition that appropriate safeguards may be insisted and I am satisfied in the facts and circumstances of this case that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on condition that the petitioner executes a bond for Rs.1,00,000/- (Rupees One lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

**(R.BASANT, JUDGE)**

rtr/-